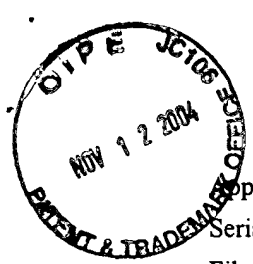


IFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: FRANZ  
Serial No.: 10/789,174  
Filed: February 26, 2004  
Confirmation No.: 9902  
Title: STABILISED PHARMACEUTICAL COMPOSITION COMPRISING AN EXTENDED RELEASE NON-STEROIDAL ANTI-INFLAMMATORY

Examiner: Unknown  
Group Art Unit: 1614  
Docket: 09997.0057USU1  
Notice of Allow. Date: N/A

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 8, 2004.

By: 

Name: Sarah Dannecker

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450




Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Supplemental Information Disclosure Statement, Form 1449, 1 Reference(s), Copy of European Search Report
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By:   
Name: John J. Bresens  
Reg. No.: 33,112  
JJG/sbd



---

## DOCKET NOTIFICATION SLIP

---

TO: PATENT DOCKETING

Applicant: FRANZ  
Title: STABILISED PHARMACEUTICAL COMPOSITION COMPRISING AN EXTENDED  
RELEASE NON-STEROIDAL ANTI-INFLAMMATORY  
Serial No: 10/789,174  
Filed: February 26, 2004  
Docket: 09997.0057USU1  
Due Date:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Supplemental Information Disclosure Statement, Form 1449, 1 Reference(s), Copy of European Search Report
- ☒ Return postcard

**Date of Deposit: November 8, 2004**

JJG/sbd



N 10/789,174

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	FRANZ	Examiner:	Unknown
Serial No.:	10/789,174	Group Art Unit:	1614
Filed:	February 26, 2004	Docket No.:	09997.0057USU1
Title:	STABILISED PHARMACEUTICAL COMPOSITION COMPRISING AN EXTENDED RELEASE NON-STEROIDAL ANTI-INFLAMMATORY		

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450 on November 8, 2004.

By: 

Name: Sarah Dannecker

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))**

Mail Stop Amendment

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Enclosed for the Examiner's information is a copy of the European Search Report. At least some of the references were recently cited in a European Search Report mailed July 30, 2004.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. § 1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

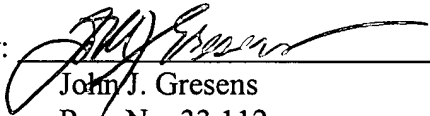


Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Dated: November 8, 2004

By:

  
John J. Gresens  
Reg. No. 33,112

JJG/sbd

<b>FORM PTO-1449</b> <b>INFORMATION DISCLOSURE STATEMENT</b> <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 09997.0057USU1	Application Number: 10/789,174
	Applicant: FRANZ	
	Filing Date: February 26, 2004	Group Art Unit: 1614

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,601,843	02/1997	Gimet et al.			
	6,312,724	11/2001	Odidi et al.			
	2002/0054908	05/2002	Woolfe et al.			

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	02/22108	03/2002	WIPO				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		

<b>23552</b> PATENT TRADEMARK OFFICE
---

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	